

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

JOHN THIBODEAUX, ET AL

CASE NO. 6:18-CV-00501 LEAD

VERSUS

JUDGE SUMMERHAYS

J.M. DRILLING, LLC. ET AL

MAGISTRATE JUDGE WHITEHURST

FOURTH AMENDED COMPLAINT

Now into court, through undersigned counsel, comes Plaintiffs, John Thibodeaux, Amy Thibodeaux, Gabrielle Thibodeaux, and Emily Thibodeaux, who amend their Original, First Amended, Second Amended and Third Amended Complaint as follows:

I.

Plaintiffs amend paragraph 4(B) in their Third Amended Complaint to read as follows:

"4(B).

CRC INSURANCE SERVICES, INC., a foreign corporation organized, domiciled and existing under the laws of the State of Alabama, who may be served through its agent for service of process, C T Corporation System, 3867 Plaza Tower Dr., Baton Rouge, LA 70816."

II.

Plaintiffs amend paragraph 42(C) in their Third Amended Complaint to read as follows:

"42(C).

J.M. DRILLING has amended to alternatively assert negligence actions against insurance agent, INSIGHT, and insurance broker, CRC INSURANCE SERVICES, INC., in the event ROCKHILL's Commercial Follow Form Policy is determined not to provide excess insurance coverage regarding the claims asserted by the Thibodeaux Plaintiffs in this matter."

III.

Plaintiffs amend paragraph 42(D) in their Third Amended Complaint to read as follows:

"42(D).

J.M. DRILLING asserts that it requested its insurance agent, INSIGHT RISK MANAGEMENT LLC, and/or insurance broker, CRC INSURANCE SERVICES, INC., obtain full insurance coverage for its business operations and activities, including excavation and digging, for the time period covering the events involved in Plaintiff's accident which is the subject of the outstanding judgment seeking to be enforced in this matter."

IV.

Plaintiffs amend paragraph 42(E) in their Third Amended Complaint to read as follows:

"42(E).

Upon information and belief, INSIGHT RISK MANAGEMENT LLC retained, relied on, utilized and/or went through CRC INSURANCE

SERVICES, INC., an insurance broker, to assist with obtaining the full insurance coverage requested by J.M. DRILLING for its business operations and activities, including excavation and digging, for the time period covering the events involved in Plaintiff's accident."

V.

Plaintiffs amend paragraph 42(F) in their Third Amended Complaint to read as follows:

"42(F).

Upon information and belief, as a result of INSIGHT RISK MANAGEMENT LLC and CRC INSURANCE SERVICES's advice, services, and/or actions, the ROCKHILL Commercial Follow Form Policy that is the subject of this litigation was procured and issued to J.M. DRILLING."

VI.

Plaintiffs amend paragraph 42(G) in their Third Amended Complaint to read as follows:

"42(G).

In the alternative, in the event the ROCKHILL Commercial Follow Form Policy that is the subject of this litigation is determined not to provide excess insurance coverage regarding the claims asserted by the Thibodeaux Plaintiffs in this matter, than Plaintiffs assert negligence claims against insurance agent, INSIGHT, and insurance broker, CRC INSURANCE SERVICES,

INC., for negligently failing to procure full insurance coverage as requested by J.M. DRILLING, which negligence results in them being liable to the Thibodeaux Plaintiffs for the claims they have asserted herein, including payment of the outstanding Judgment."

II.

Plaintiffs amend the Conclusion paragraph in their Third Amended Complaint to read as follows:

"CONCLUSION

For the foregoing reasons, Plaintiffs, John Thibodeaux, Amy Thibodeaux, Gabrielle Thibodeaux, and Emily Thibodeaux, pray that this Third Amended Complaint herein be duly filed and that the appropriate Citations be issued for service of Plaintiffs' Original, First Amended, Second Amended and Third Amended Complaint on Defendants, INSIGHT RISK MANAGEMENT, LLC and CRC INSURANCE SERVICES, INC., and that this Third Amended Complaint be electronically served on Defendants, J.M. DRILLING LLC and ROCKHILL INSURANCE COMPANY, through their counsel of record, requiring all Defendants to answer all allegations of these Complaints as amended, and, after due proceedings be had, there be Judgment in favor of Plaintiffs, against Defendants, together with legal interest and costs."

FOR THE FOREGOING REASONS, Plaintiffs, John Thibodeaux, Amy Thibodeaux, Gabrielle Thibodeaux, and Emily Thibodeaux, pray that this Fourth Amended Complaint herein be duly filed and electronically served on Defendants, J.M. DRILLING LLC, ROCKHILL INSURANCE COMPANY, INSIGHT RISK MANAGEMENT LLC, and CRC INSURANCE SERVICES, INC., through their counsel of record, requiring all Defendants to answer all allegations of these Complaints as amended, and, after due proceedings be had, there be Judgment in favor of Plaintiffs, against Defendants, together with legal interest and costs.

AND FOR ALL OTHER GENERAL AND EQUITABLE RELIEF, ETC.

Respectfully Submitted,

/s/ Edward O. Taulbee, IV
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CERTIFICATE

I hereby certify that a copy of the above and foregoing has
this day been electronically mailed to all counsel of record.

Lafayette, Louisiana, this 17 day of January 2020.

/s/ Edward O. Taulbee
Edward O. Taulbee, IV.-#12669